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MAY 19 2008

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY DEPUTY

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, Plaintiff,	Magistrate Case No.: '08 MJ 8443
v.	COMPLAINT FOR VIOLATION OF 21 U.S.C. § 952 and 960 Importation of a Controlled Substance (Felony)
Ramon HERNANDEZ-Olvera Defendant.	

The undersigned complainant being duly sworn states:

That on or about May 16, 2008, within the Southern District of California, defendant Ramon HERNANDEZ-Olvera did knowingly and intentionally import approximately 59.36 kilograms (130.59 pounds) of marijuana, a Schedule I Controlled Substance, into the United States from a place outside thereof, in violation of Title 21, United States Code, Sections 952 and 960.

The complainant states that this complaint is based on the attached Probable Cause Statement incorporated herein by reference.

Chad Worgen, Special Agent
U.S. Immigration and
Customs Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE THIS 19th DAY OF MAY 2008.

PETER C. LEWIS
U.S. MAGISTRATE JUDGE

PROBABLE CAUSE STATEMENT

I, Special Agent Chad N. Worgen with United States Immigration and Customs Enforcement, declare under penalty of perjury, the following is true and correct:

On May 16, 2008, at approximately 0708 hours, Ramon HERNANDEZ-Olvera applied for entry at the Calexico, California West Port of Entry lane # 8 driving a 1996 Mercury Villager with Mexican license plate number BDW9753. Customs and Border Protection Officer (CBPO) N. Lira was assigned primary inspection duties. CBPO Lira received a negative Oral Customs declaration from HERNANDEZ. HERNANDEZ stated he was the registered owner of the vehicle. CBPO Lira queried HERNANDEZ' border crossing card (DSP-150). CBPO Lira referred both HERNANDEZ and his vehicle to the secondary lot for a "computer generated referral" name match.

CBPO M. Huerta was assigned secondary inspection duties when he observed HERNANDEZ driving the Mercury Villager into the vehicle secondary lot. CBPO Huerta received a negative oral Customs declaration from HERNANDEZ and asked him to exit the vehicle. CBPO Huerta requested Canine Enforcement Officer (CEO) C. Jones to screen the vehicle with his Narcotics Human Detector Dog (NHDD). CEO Jones informed CBPO Huerta that his NHDD had alerted to the vehicle.

CEO Jones pried open the rear quarter panel of the vehicle, and discovered a package wrapped in brown postal tape. CBPO Huerta probed the package, and it produced a green leafy substance that field tested positive for marijuana. A total of 58 packages of marijuana were discovered within the vehicle with a total weight of 59.36 kilograms (130.59 pounds).

HERNANDEZ was arrested for violation of Title 21 United States Code 952 and 960, Importation of a Controlled Substance. HERNANDEZ was read his Miranda rights, which he acknowledged and waived. HERNANDEZ stated he knew controlled substances were concealed within the vehicle, but he did not know what type. HERNANDEZ stated he knew it was illegal to import controlled substances into the United States. HERNANDEZ stated he was to be paid $2,000.00 to complete the smuggling operation. HERNANDEZ was processed and transported to the Imperial County Jail.

Executed on May 17, 2008, at approximately 1130 hours

Chad N. Worgen S/A
Chad N. Worgen, Special Agent

On the basis of the facts presented in the probable cause statement consisting of one page, I find probable cause to believe that the defendant named in this probable cause statement committed the offense on May 16, 2008, in violation of Title 21, United States Code, Sections 952 and 960.

[signature]
Anthony J. Battaglia, U.S. Magistrate Judge

5/17/08 12:30pm
Date/Time